EAST BAY INNOVATION ACADEMY (EBIA)

SCHOOL SAFETY PLAN

AUGUST 2025

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Contents

INTRODUCTION **5**
CAMPUS SAFETY AND SECURITY **6**
ENTRANCES & EXITS 6
DROP-OFF/PICK-UP PROCEDURES 7
LATE PICK UP POLICY 8
RIDESHARING SERVICES 9
VISITORS POLICY 9
FINGERPRINTING POLICY 11
REGISTERED SEX OFFENDER POLICY 12
EMERGENCY PREPAREDNESS **15**
DRILLS 15
DISASTER PLANS **16**
FIRE 18
EARTHQUAKE 19
FLOOD / SEVERE WEATHER 21
ELECTRICAL FAILURE 21
GAS LINE BREAK 21
WATER LINE BREAK 21
WATER CONTAMINATION 22
CHEMICAL SPILL/ INCIDENT 22
LOCKDOWN/ SHOOTING INCIDENT 23
BOMB THREAT 26
DEATH/SUICIDE 28
INTRUDERS / VICIOUS ANIMALS 28
EMERGENCY STUDENT RELEASE PROCEDURES 29
EMERGENCY EVACUATION PROCEDURES FOR SAFE INGRESS AND EGRESS 29
SITE MAPS & EVACUATION PLAN **31**
Lower School - 3400 Malcolm Avenue 31
Upper School - 3800 Mountain Blvd. 31
STUDENT DISCIPLINE **33**
DISCIPLINE IN GENERAL 34

PUPIL SUSPENSION AND EXPULSION POLICY **36**
A. GROUNDS FOR SUSPENSION AND EXPULSION OF STUDENTS 37
B. ENUMERATED OFFENSES 37
C. SUSPENSION PROCEDURE 43
D. AUTHORITY TO EXPEL 44
E. EXPULSION PROCEDURES 45
F. SPECIAL PROCEDURES FOR EXPULSION HEARINGS INVOLVING SEXUAL ASSAULT OR BATTERY OFFENSES 45
G. RECORD OF HEARING 47
H. PRESENTATION OF EVIDENCE 47
I. WRITTEN NOTICE TO EXPEL 48
J. DISCIPLINARY RECORDS 48
K. NO RIGHT TO APPEAL 49
L. EXPELLED PUPILS/ALTERNATIVE EDUCATION 49
M. REHABILITATION PLANS 49
N. READMISSION OR ADMISSION OF PREVIOUSLY EXPELLED STUDENT 49
O. NOTICE TO TEACHERS 49
P. INVOLUNTARY REMOVAL FOR TRUANCY 50
Q. SPECIAL PROCEDURES FOR THE CONSIDERATION OF SUSPENSION AND EXPULSION OF STUDENTS WITH DISABILITIES 50
Procedures to Notify Teachers of Dangerous Pupils **55**
ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY **56**
PROHIBITED UNLAWFUL HARASSMENT 57
PROHIBITED UNLAWFUL SEXUAL HARASSMENT 57
PREVENTION OF CHILD ABUSE POLICY **60**
REPORTING SUSPECTED CHILD ABUSE/ NEGLECT 60
REPORTING PROBLEMS AT THE SCHOOL SITE 61
A SAFE AND ORDERLY ENVIRONMENT **62**
OUR MISSION 62
OUR VISION 62
OUR INSTRUCTIONAL MODEL 63
OUR CORE BELIEFS 64
RESTORATIVE JUSTICE 65
PROCEDURES FOR TACTICAL RESPONSE AND CRIMINAL INCIDENTS **66**
EMPLOYEE CONDUCT WITH STUDENTS **67**

ALCOHOL, TOBACCO, AND CONTROLLED SUBSTANCES 67
TRANSPORTATION OF STUDENTS 68
APPENDIX 70
EVACUATION PROCEDURES 70
EMERGENCY EVACUATION: ADMINISTRATION'S CHECKLIST 70
ACTIVATE KEY PERSONNEL TO : 70
EMERGENCY EVACUATION: EMPLOYEES CHECKLIST 71
EMERGENCY EVACUATION: TEACHERS CHECKLIST 71
IF IT IS NECESSARY TO EVACUATE TO ANOTHER SCHOOL OR RELIEF CENTER, THE EXECUTIVE DIRECTOR WILL: 72
CAMPUS MAPS AND EVACUATION ROUTES 72
PROTOCOL FOR MEDICATION AND OPIOID RESPONSE 72
STOPit SOLUTIONS - SCHOOLWIDE ANONYMOUS INCIDENT REPORTING AND RESPONSE SYSTEM 72
MENTAL HEALTH SERVICES 74

INTRODUCTION

East Bay Innovation Academy is committed to maintaining safe and secure campuses for all of its pupils and staff. To that end, this Comprehensive School Safety Plan covers the School's policies and expectations regarding the practices of each school in maintaining the security of the physical campus, responding appropriately to emergencies, increasing the safety and protection of students and staff, and creating a safe and orderly environment that is conducive to learning.

All school employees should receive training in the Comprehensive School Safety Plan upon joining the school, and should review any changes to the Plan annually.

The East Bay Innovation Academy's Comprehensive School Safety Plan is required by Education Code 32282-32289[1] to be reviewed and updated by March 1 annually and subsequently submitted for approval to the School Safety Planning Committee, as well as the Governing Board of Directors by April 30th. The contents of the CSSP should include at a minimum, information assessing the current status of school crime (Data about the safety of the campus, including disciplinary matters and/or crimes.)committed on the school campus and at school-related functions, strategies and programs that provide or maintain a high level of school safety, and procedures for complying with existing laws related to school safety. In addition, East Bay Innovation Academy leadership has compiled functional and operational documents and procedures to ensure safety at its campuses, making this a "one-stop shop" for safety protocols and documents.

The Comprehensive School Safety Plan was developed by a Safety Committee that includes leadership, parent, and staff representatives. This version of the safety plan was developed in the Fall of 2022.

[1] See CDE Website for Compliance Tool for Comprehensive School Safety Plans

The Comprehensive School Safety Plan was approved in a public meeting of the East Bay Innovation Academy's Board of Directors on September 21st 2022 On September 21st 2022, the East Bay Innovation Academy's Board of Directors heard public comment on the CSSP. The most recent plan was communicated to all stakeholders through the following means:

- Disseminated to all staff members via mandatory staff meeting during September meetings.

2021-2022 total number of discipline referrals (not resulting in suspension or expulsion) as of June 30, 2022

Suspension/Expulsion data

School Year	Suspension rate	Expulsion rate
2017-2018	0.4%	0%
2018-2019	5.0%	0%
2019-2020	5.8%	0%
2020-2021	0.8%	0%
2021-2022	7%	0%

CAMPUS SAFETY AND SECURITY

ENTRANCES & EXITS

The Executive Director, Senior Operations Director, and Operations Director should develop procedures so that students, staff, parents and community members can enter and exit the building in a safe and orderly way, and that the building is secure from unauthorized entry during non-school hours, as follows:

- Designating individuals to lock the school building and/or grounds when not in use
- Training school staff members to maintain the security of the building when working during non-regular working hours (e.g. not propping doors open, re-securing the building after leaving)

- Maintaining a practice of locking doors that are not being regularly used, even during school hours
- Posting signs requesting that visitors sign in at the main office
- Establishing a culture in which any adults without a visitor or staff badge and any children not enrolled at the school are escorted immediately to the main office
- Periodically testing the security system according to the manufacturer or vendor instructions, to ensure it is functioning
- Creating a dismissal plan and student pick-up traffic plan to avoid congestion of the parking lot and local streets, and to prevent students from crossing traffic unnecessarily

DROP-OFF/PICK-UP PROCEDURES

The Lower School begins at 9:00 a.m. and dismissal time is 3:30 p.m. daily. The Upper School begins at 8:30 a.m. and dismissal time is 3:45 p.m. Light supervision is provided prior to 8:00 a.m. Please pick students up within ten (10) minutes of dismissal. If class is being conducted at an off-campus site, students not picked up within ten (10) minutes of dismissal will be returned to the school site.

Lower School:

Wanting to be good neighbors in our Lower School community and responsible safe keepers of our students, we ask that parents/guardians either **park** on **Malcolm Ave**. to drop-off or pick-up students **OR** enter the driveway and **move** in a **counter-clockwise** direction in the turn-about. Cars **MAY NOT** park in the turn-about, as indicated by the red painted curb. **Cars should stop for no more than thirty (30) seconds in the turnabout so that traffic may flow**. Turning left onto Malcolm Ave. when exiting the school is not recommended, as cars traveling up the street do not have a lasting, clear view of the driveway. We recommend turning right when exiting the driveway. Parents/guardians needing to meet with EBIA staff should park on Malcolm Ave. Unless disabled and displaying a placard, parents/

guardians may not use the parking lot on campus, as those spaces are designated for staff use only.

Upper School:

We ask that parents/guardians enter the driveway and move in a counter- clockwise direction in the turn-about, or park in the front lot. Cars should stop for **no more than thirty (30) seconds** in the turn- about so that traffic may flow. Parents/Guardians needing to meet with EBIA staff should park in the designated spaces next to the driveway. Students are required to park in the upper lot near the gym.

LATE PICK UP POLICY

EBIA is committed to providing a safe campus for all students. When students are left on school property after the close of school hours, EBIA will follow certain steps to ensure students are safe until their parents/guardians come to pick them up. In the event students are left on campus after school hours, EBIA staff will:

- Notify the Site Administrator or designee immediately.
- Attempt to reach parents/guardians through the phone number provided to the School by parents/guardians at the beginning of the year. This may include contacting any emergency contact(s) listed for the student.
- Bring students into the lobby of the building. Parents/guardians will be asked to come into the building to pick up their student. Students must remain on site until an adult comes to retrieve the student.
- Notify the Site Administrator or designee within forty-five (45) minutes following the close of business if there is a possibility that law enforcement may be called to assist the student.
- As a last resort, at sixty (60) minutes after the close of business, EBIA may contact law enforcement and/or child welfare services who may remove the student and may assume responsibility for the student until the parent/guardian retrieves the student.

EBIA understands unforeseen circumstances can occur. Should a late

pick-up be likely, please inform the main office at 510-577-9557. Five (5) or more late pick-ups during a school year may result in a meeting with school administration.

RIDESHARING SERVICES

As per state and federal law, ridesharing services like Lyft and Uber are forbidden for unaccompanied minors (under the age of 18) unless the service explicitly states that its drivers are qualified to transport an unaccompanied minor. If your student uses ridesharing services to get to and from school, you may consider using services like HopSkipDrive or Zum and ensure that the driver is qualified to transport minors. EBIA does not assume responsibility for the safety of students whose parents elect to privately contract with a transportation service.

VISITORS POLICY

The School encourages interested members of the community to visit our schools. To avoid potential disruptions to learning, to provide visitors with the information they need, and for the safety of students and staff, ALL visitors should register immediately upon entering any school building or grounds. Visitors shall sign in at the beginning of their visit, receive a visitor badge, and sign out at the end of their visit. Students from other schools as well as students who have ended their school day are not to be on campus unless accompanied by parents/guardians or with the permission of the site administrator.

In registering as a visitor, the sign-in form should include spaces for the following information

- Name;
- His/her purpose for entering school grounds;
- Destination within the school
- Time in and out

At his/her discretion, the Executive Director, Site Administrator, Operations staff member, or designee may also request

- proof of identity
- address
- occupation and company affiliation
- age (if less than 21); and any other information consistent with law.

Parents and guardians visiting during the school day for any purpose other than picking up at or dropping off a child at the beginning or end of the school day as part of the normal school day schedule should also be requested to sign into the visitor log. This applies to parents and guardians who are picking up a student early (e.g. for a medical reason) or dropping off a student late (e.g. tardy), as well as parents and guardians who are on campus to volunteer in their child's classroom. If observing instruction, teacher will be notified and administrator will escort parents/guardians to the classroom.

School employees should follow normal check-in procedures upon arrival for work and should wear badges signifying that they are School employees.

Students not enrolled at the school who wish to use the school grounds for recreation during the school day are, at the discretion of the Office Lead, also subject to the School's visitor policy.

The Office Lead or designee may refuse to register any visitor if he or she reasonably concludes that the visitor's/outsider's presence would disrupt the school, students or employees, would result in damage to property, or would result in the distribution or use of a controlled substance. (Penal Code 627.4).

The Office Lead or designee may request that a visitor/outsider who has failed to register, or whose registration privileges have been denied or revoked, to promptly leave school grounds. If necessary, the Office Lead or designee may call the local police to enforce the departure of the visitor/outsider. When a visitor/outsider is directed to leave, the Executive Director or designee shall inform the visitor/outsider that if he or she reenters the school within seven (7) days, he or she will be guilty of a misdemeanor and subject to a fine and/or imprisonment. (Penal Code 627.7).

All schools shall inform parents annually about the school's policies regarding visitors/outsiders, and remind parents that to maximize safety and security they should also register when visiting the school.

This visitor/outsider policy is subject to the further terms and conditions contained in The School's Registered Sex Offender Policy, set forth below.

FINGERPRINTING POLICY

For the protection of students, California State law requires criminal background checks for all public school employees, as well as any individual working alone with minors in a school setting. All employees' fingerprints who fall into the above categories run though the Federal Bureau of Investigations (FBI) and/or Department of Justice (DOJ) databases.

WHO SHOULD BE FINGERPRINTED

All new school site employees must be fingerprinted and cleared before they begin working independently with minors. Individuals who were previously fingerprinted when they worked in another school district must be fingerprinted again to ensure that The School is notified if the person subsequently commits a felony or misdemeanor.

In addition, any volunteers who have the occasion to be alone with a pupil while not in the presence of a School employee must receive fingerprint clearance prior to volunteering on campus. Volunteers do not have to be fingerprinted only if they are working under the direct and continual supervision of a school employee in the same room, and will have no occasion to be alone with a pupil. This policy also applies to parents/guardians of students who volunteer at the school and may have the occasion to be alone with a pupil other than their own child.

The actual background check depends on the individual's residency history. If the individual has resided in the state of California for more than 5 years, only DOJ check is required. If the individual has resided in the state of California for less than 5 years, DOJ and FBI checks are both required.

Note that most DOJ background checks take less than seven days, sometimes more. FBI background checks take considerably longer.

Individuals who wish to work or volunteer at the School should plan to get fingerprinted as quickly as possible to avoid delays in commencing work or volunteer activities.

REGISTERED SEX OFFENDER POLICY

For the protection of pupils while they are traveling to and from school, attending school, or at a school-related activity, Directors and their designees should respond appropriately when apprised of information that a registered sex offender resides or works within two (2) miles of the School, or otherwise may be likely to attempt to visit the School for any reason whatsoever.

In accordance with "Megan's Law", the Executive Director or designee shall notify parents/guardians annually of the availability of the CD-ROM from local law enforcement regarding registered sex offenders, and recommend that they utilize the information contained on the disk, and that information about registered sex offenders may be obtained from the California Attorney General's Megan's Law website, found at http://meganslaw.ca.gov, (Penal Code 290.4 and Parra Act), subject to the disclaimer found on said website.

The School and its employees shall be immune from liability for the good faith dissemination of sex offender information so long as the dissemination is in the manner and to the extent authorized by law. (Penal Code 290).

When a school has received information about a registered sex offender from any source, the Executive Director or designee may, on a case-by-case basis, notify staff, including but not limited to, bus drivers, staff who may be involved in visitor/outsider registration, and teachers. If the Executive Director or designee informs any staff member of the information about a registered sex offender, the Executive Director or designee shall also inform the staff member of the following:

a) The school will share public registered sex offender information with staff members to assist in identifying a danger;

b) Any person who uses registered sex offender information to commit a felony will be subject to criminal penalties; and

c) Staff is not permitted to notify any parents or any other members of the community of any information received pursuant to this policy without the written permission of the Executive Director or designee.

If a suspected registered sex offender is seen on or nearby school grounds, and is not a parent or guardian of a pupil at the school, staff members shall immediately inform the Executive Director or designee. When the Executive Director or designee receives information that a suspected registered sex offender may be on or nearby school grounds or around any pupil, he or she will determine whether the suspected registered sex offender has received written permission for the entry onto school grounds, is a parent or guardian of a pupil at the school, and if possible, is actually a registered sex offender. Any such registered sex offender who does not have written permission for the entry onto school grounds or is not a parent or guardian of a pupil attending the school will be promptly directed to leave by the Executive Director, who will notify law enforcement immediately. Law enforcement will determine if the registered sex offender is in violation of parole or probation conditions.

If a school learns or is notified that a registered sex offender is a parent/guardian of one or more pupils who attend the school, the Executive Director or designee should attempt to schedule a meeting with the parent/guardian for the following purposes:

a) To establish a positive, cooperative working relationship to the extent possible;

b) To discuss the incident(s) leading to the registration requirement, (the School recognizes that the parent/guardian is not required to discuss any criminal or personal history with representatives of the School);

c) To explain the limitations placed upon the parent's/guardian's participation in school programs, activities or visits, as specified in this policy;

d) To advise the parent/guardian that the regulations limiting his/her access to children at school will be strictly enforced with the assistance of law enforcement personnel, if required;

e) To develop joint strategies with the parent/guardian for "normalizing" the educational experience of his/her children to the fullest extent possible; and

f) To be advised of any judicial restraining orders or conditions of probation or parole that may limit the parent's/guardian's ability to participate in school activities.

This meeting shall be held on school grounds unless there is a concern for the safety or welfare of pupils or staff, and in that event, it may be held at a location within the Executive Director or designee's discretion. If this meeting with the parent is not held, the Executive Director or designee shall notify the parent/guardian in writing of the information contained in this policy. The School recognizes the following rights of the parent/guardian to participate in his/her child's education:

a) To transport his/her child to and from school;

b) To attend regularly scheduled parent conferences with the teacher, Executive Director or other school official; and

c) To attend a regularly scheduled school program or activity in which their child is a participant.

The parent/guardian may not extend their presence at school beyond what is reasonable to exercise the aforesaid parental rights, and to that end, a registered sex offender shall not:

a) Serve as a school or class volunteer;

b) Act as a chaperone on a school field trip;

c) Be in the presence of children for any reason other than for the parent rights stated herein; and

d) Make individual contact with any student other than his/her own while at school or during a school activity.

Staff shall provide observation and/or supervision of a parent/guardian registered sex offender who is visiting a school or participating in a school activity defined herein.

When a parent/guardian is a registered sex offender, the school will make an effort to preserve the confidentiality of information obtained pursuant to the Megan's Law notification process to the fullest degree possible. School officials may share relevant information with employees as needed but will

not share the information with unauthorized employees, other parents or with the community at large. In order to avoid a breach of confidentiality, copies of forms, materials or information distributed or used in connection with the implementation of this policy should be collected and/or destroyed. Under no circumstances is it appropriate to post notices, photographs, or the identity of a parent/guardian registered sex offender on school bulletin boards.

All schools shall inform parents annually about the existence of this policy regarding registered sex offenders. All schools shall cooperate to the fullest extent possible with local law enforcement for receiving, communicating and disseminating information concerning registered sex offenders.

NOTE: Pursuant to Penal Code 290(q), any person who uses registered sex offender information to commit a felony will receive a five-year state prison term; any person who uses registered sex offender information to commit a misdemeanor will be fined at least $500 and not more than $1000.

EMERGENCY PREPAREDNESS

Emergency preparedness procedures will be readily on hand in each office, including a list of up to date emergency contact numbers. This information should be discussed and disseminated before school starts, ideally at an all school staff meeting just when the teachers return to duty.

DRILLS

It is the Director of Operations responsibility to schedule emergency drills throughout the year, and record the date and time of each drill. The Office Lead may be asked to help out. Those drills are:

- Fire Drill: **At least once per month,** at the lower school and **three times per year** at the upper school a fire drill should be conducted in which all pupils, teachers, and other employees are required to vacate the building.
- Earthquake Duck & Cover Drill: This drill should be performed **four (4) times per school year.**

DISASTER PLANS

Introduction

These procedures lay out the basic steps of action to take in the case of the following emergencies:

- Fire
- Earthquake
- Active Shooter
- Lockdown
- Shelter in Place
- Other potential scenarios

In addition, this section includes EBIA's Standard Emergency Management System (SEMS) plan, roles, and responsibilities

Annually and on an on-going basis, the Executive Director, in collaboration with the Site Leaders will:

- Assign staff to the Safety Team, and ensure that the list is updated regularly.
- Ensure evacuation maps specific to the school site in each and every classroom and office room by the door, as well as by each fire extinguisher and fire exits, are exhibited.
- Ensure all staff - including after school staff and night staff - are informed of these procedures and have access to all emergency supplies.
- Ensure adequate training in these procedures for all staff.
- Schedule, conduct, and learn from semi-annual practice drills for evacuation, earthquake, active shooter, lockdown, and shelter in place.
- Inform parents of emergency/disaster procedures, as well as reunification procedures.

Use of Incident Command System

In alignment with CDE Recommendations, EBIA will use an Incident Command System (ICS) to manage all emergencies within the school. Planning and preparation for each kind of emergency will help staff learn proper courses of action in an emergency, but this plan cannot foresee all possible circumstances in an emergency. Therefore, all staff must be

prepared to evaluate all circumstances and make sound judgements based on the situation.

Employees as Disaster Service Workers
In accordance with California law, each employee at EBIA is considered a Disaster Service Worker, requiring them to be prepared to stay on the campus to care for students for up to 72 hours. If necessary, employees are subject to disaster service activities as assigned to them by their supervisor.

Use of Facilities in an Emergency
Education Code section 32282(a)(2)(B)(ii) states that school officials may be required to grant use of facilities, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or emergencies that affect public health.

Safety Team
This team is responsible for managing emergencies. The Site Administrator is the Incident Commander.

Name	Role
Malcolm Avenue	
Ernesto Diaz	Site Leader -
Jordan Jabson	Student Support Specialist
Isabel Lupian	Office Lead
Mountain Blvd	
Terrance Marley	Site Leader -
Christine Mandilag	Director of Linked Learning
Priscila Figueroa	Office Lead

FIRE

FIRE	
The fire protocol is used when there is an active or suspected fire or the alarm is set off. The fire protocol will be used even if it is known to be a false alarm.	
Step 1 Fire Alarm	• If there is a fire and the alarm has not been set off, any member witnessing the fire may initiate the fire alarm.
Step 2 Announcement Or Alarm Sounding	• The alarm will sound and office admin will send out an alert via Share911 - ○ If someone other than the office administrator sees a fire they can also send alert via share 911.
Step 3 Open Share911 app & Get Backpacks + Radios	• Tune into the Share 911 • Classroom teachers to take Emergency Backpack and Emergency Contact Roster

Step 4
Evacuate
	• Staff and students will evacuate the building in a quiet and orderly fashion using emergency exit routes. We will meet at the Emergency Meeting Area:
	  ○ 3400 Malcolm Ave.
	  ○ 3800 Mountain Blvd.
	• The Safety Team will ensure all classrooms, hallways, cafeteria, kitchen, restrooms and offices are empty. The Safety Team will search for any missing students and staff. Assign floors and areas of the building among the Safety Team of each building.

Step 5 Take Roll	• Once you arrive at the Emergency Meeting Area, classroom teachers take roll. • Teacher reports missing students to our Share911 and the tiles appear-when those students are accounted for the students will be marked accounted for by the adults present with those students. • Stay in the meeting area for further instruction.
Step 6 Further Instructions & Return	• Await further instructions from the Fire Department
Step 7 Safety Team Debrief	• After the emergency is all clear, the Safety Team huddles for debrief. • All other staff resume normal operations.
Step 8 Communications	• The Executive Director will draft and send communications to all staff and families regarding the nature of the emergency and response.

EARTHQUAKE

EARTHQUAKE	
The earthquake protocol is initiated at the onset of an earthquake. Do not wait for an announcement to begin the protocol.	
Step 1 Announcement	● At the onset of an earthquake, an admin will send out an alert via Share911 - ○ If someone other than the office administrator feels a call need to be made they can also send alert via share 911 ● Staff should instruct students to take cover, and do so themselves even if they do not hear the announcement.
Step 2 Immediate response	If indoors... ● Turn away from windows, suspended objects or outside walls ● Drop to the floor, take cover under a desk, table or against an interior wall. ● Make your body as small as possible; cover head and neck while protecting the chest. ● Hold position until the ground stops shaking or the Safety Team has announced over radios to begin Evacuation. ● If an aftershock occurs while you are exiting the building, “Drop, Cover and Hold On” until the shaking stops. If outdoors... ● Teachers get to a clear space (away from buildings, poles, overhead wires and other tall objects) call out to student, “Duck and cover” ● Students drop to ground, cover head and neck with arms. ● Watch for dangers that may demand movement. ● Be prepared to duck and cover again due to aftershocks. ● Hold position until the ground stops shaking or the Safety Team has announced over radios to begin Evacuation.
Step 3 Open Share 911 app & Get backpacks & Radios	● Tune into the Share 911 ● Classroom teachers to take Emergency Backpack and Emergency Contact Roster
Step 4 Evacuate (If Necessary)	● Staff and students will evacuate the building in a quiet and orderly fashion using emergency exit routes. We will meet at the Emergency Meeting Area: ○ See Maps below ● The Safety Team will ensure all classrooms, hallways, cafeteria, kitchen, restrooms and offices are empty. The Safety Team will search for any missing students and staff. Assign floors and areas of building among Safety Team of each building.
Step 5 Take Roll	● Once you arrive at the Emergency Meeting Area, classroom teachers take roll.

	• Teacher reports missing students to our **Share911** and the tiles appear-when those students are accounted for the students will be marked accounted for by the adults present with those students • Stay in the meeting area for further instruction.
Step 6 Further Instructions & Return	If there is minimal damage: • The Safety Team will announce *"All clear. All Clear. Please return to your normal activity."* • Staff and students will return to classrooms in a quiet and orderly fashion. If there is damage to the campus: • The Safety Team will enact the Reunification Plan at the site of evacuation, or where a Law Enforcement Agency indicates.
Step 7 Safety Team Debrief	• After the emergency is all clear, the Safety Team huddles for debrief. • All other staff resume normal operations.
Step 8 Communications	• The Executive Director will draft and send communications to all staff and families regarding the nature of the emergency and response.

FLOOD / SEVERE WEATHER

Warnings of severe weather are usually received via public radio or the State Warning Center. If time and conditions permit, students may be sent home. However, if the weather conditions develop during school hours, without sufficient warning, students should be held at school.

The Executive Director or Director of Operations will assess the situation and make an announcement over the PA or megaphone to A) evacuate, B) stay in classes or C) release students to go home.

See emergency procedures previously described for evacuation directions.

ELECTRICAL FAILURE

1. Office Lead or Director of Operations notifies property owner and PG&E.
2. Office staff and classroom teachers turn off computers and other equipment that might be damaged by a power surge when the service is restored

GAS LINE BREAK

1. Office Manager notifies property owner and PG&E.
2. Office Manager notify the Fire Department.
3. Staff to follow the emergency procedures previously described.

WATER LINE BREAK

1. Office Manager notifies the property owner and the East Bay MUD.
2. Custodian shuts off water.
3. Office Manager notifies the police.

4. The Executive Director or Director of Operations determines if it is necessary to follow the emergency procedures on page 6 to evacuate students and staff.

WATER CONTAMINATION

1. Instruct teachers to move students away from drinking fountains and sinks.
2. Notify property owner and East Bay MUD headquarters.
3. Have custodian turn off pressure to drinking fountains and sinks.

CHEMICAL SPILL/ INCIDENT

If Indoors:

1. Block or rope off area – DO NOT TOUCH ANYTHING.
2. Evacuate room and TURN OFF air conditioning system.
3. Notify school office and Head Custodian of the incident - contact 911 if necessary.
4. Head Custodian should check for chemical safety data to determine clean up procedure.

If Outdoors:

1. Upon hearing of a chemical leak (usually from the fire department or other city office) the Office Manager will determine if students should be evacuated.
2. Move away from buildings, poles and overhead wires.
3. Close doors and windows and TURN OFF air conditioning system.
4. If it is necessary to leave the site, move crosswind, never more directly with or against the wind which may carry fumes.
5. Give first aid.
6. Staff to follow the emergency procedures previously described.

LOCKDOWN/ SHOOTING INCIDENT

ACTIVE SHOOTER / LOCKDOWN	
An active shooter protocol is used when there is an immediate threat of shooting on the campus. An active shooter protocol can be initiated by anyone in the building.	
Step 1 Announcement	• If an active shooter is identified, immediate announcements will be heard via **Radio,** AND **Share911** - Lockdown will be initiated in the App
Step 2 (In real situation only) Call 911	• At minimum, Administrative staff to call 911 immediately and inform the operator that there is an active shooter or intruder in or around the school. • Share911 will also send out a notification • If in doubt that a 911 call was made, make one.
Step 3 Enter a lockdown location	• In the case of a shooting or suspected intruder, the first priority is to shelter students and staff. If you are... ○ Outside of your classroom: bring students into the nearest classroom ○ In the cafeteria: move to the nearest classroom. ○ In the hallway: proceed to the nearest classroom • Classroom teachers should quickly glance outside the room and direct any students or staff into your room.
Step 4 Open Share 911 channel & Prepare the classroom	• Open up Share911 • Close and lock doors. • Close and lock windows and shut the blinds. • Turn off all the lights. • Keep the room quiet.
Step 5 Hide	• Direct students to hide in the classroom. Determine whether ducking quietly under their desks (“duck and cover”) or sitting along a wall or in a closet is the best location to hide. • Move away from windows, try not to be visible from outside.
Step 6 Take roll	• Teacher Takes attendance VISUALLY • Report missing students via share911to alert the Safety Team - and all adults if you have students missing from your classroom.- you can add room indicators to each student
Step 7 Release the room	• **All three credentials** must be satisfied before unlocking the door from the inside. ○ **Credential 1: Door communication** Safety Team will knock on the door with a pre-set pattern (i.e. “Knock-, knock-, knock knock knock”) ○ **Credentials 2: Share 911 communication** Safety Team will notify rooms through the “All Clear on Share 911” ○ **Credential 3: Paper communication** ■ Safety Team will slide a piece of paper that states “ALL CLEAR” under the door from outside the classroom to the inside. ■ Staff inside classroom will have to slide a piece of paper that says “READY” under the door to the outside of the

	classroom in response as the confirmation of receiving the true release order. **Do not** slide the paper back if the intruder is inside the room. The "READY" paper is usually in the emergency folder hanging near the door. • When all three credentials are cleared, you will hear the Safety Team member say "Thank you, you can safely unlock your room."You can open the door then.
Step 8 School-wide clearance	• Please ask students to stay in hiding positions and stay quiet until all classrooms are cleared, when you hear the announcement via Radio and Share911: *"The school is all cleared. You can return to normal activities."*
Step 9 (In real situation only) Evacuation & Reunification	• In a real active shooting situation, the police or Safety Team may make an evacuation announcement. If so, evacuate to the evacuation point. • In some situations, the police or Safety Team may initiate a reunification process for students to reunite with their families.
Step 10 Safety Team Debrief	• After emergency is all clear, Safety Team huddles for debrief • The safety team plans for and executes any necessary counseling or group debriefs.
Step 11 Communications	• The Executive Director will draft and send communications to all staff and families regarding the nature of the emergency and response.

SHELTER IN PLACE	
Shelter in Place is used when there may be a threat outside the school campus, such as police activity or toxic air. Students are not locked down in their classrooms and may move throughout the building - they just may not go outside until given permission.	
Step 1 Announcement	• If the need for a "Shelter in Place" is identified, immediate announcements will be heard via Radio and **Share911 -** ○ **"Shelter In Place"** WIll appear on your application and your devices.
Step 2 Go or remain indoors	• During a shelter in place, the first priority is to shelter students and staff. If students are outdoors or in the cafeteria, return to their homeroom classrooms. • In the case of police activity in the area, safety team will lock perimeter doors.
Step 3 Take roll	• Once you arrive at the Emergency Meeting Area, classroom teachers take roll. • Teacher reports missing students to our **Share911** and the tiles appear-when those students are accounted for the students will be marked accounted for by the adults present with those students • Stay in the meeting area for further instruction
Step 4 Await further instruction	• Students and staff may walk within a building but not go outside. • Normal activities may take place inside
Step 5 School-wide clearance	• The shelter in place is over when you hear the announcement via Radio, via **Share911** for the All clear.
Step 6 (In real situation only) Evacuation & Reunification	• In a real active shooting situation, the police or Safety Team may make an evacuation announcement. If so, evacuate to the evacuation point. • In some situations, the police or Safety Team may initiate a reunification process for students to reunite with their families.
Step 7 Safety Team Debrief	• After emergency is all clear, Safety Team huddles for debrief
Step 8 Communications	• The Executive Director will draft and send communications to all staff and families regarding the nature of the emergency and response.

BOMB THREAT

BOMB THREAT BY MAIL, EMAIL, PHONE CALL, OR OTHER COMMUNICATION METHOD	
This protocol is used when a bomb threat is reported, but no suspicious object has been found.	
Step 1 Answer the call	• Notify Administrative Staff immediately ○ Miranda Thorman - miranda.thorman@eastbayia.org • Try to maintain the caller on the line and obtain information from the caller such as where the bomb is, where it is set to explode, what it looks like, what kind of bomb it is, why it is there and who the caller is. Note any identifying features about the caller (i.e. gender, speech patterns, background noise, identifying location).
Step 2 Call 911	• Administrative staff to call 911 immediately and inform the operator that there is a current bomb threat on another phone line and provide the number of the line.

Step 3
Team Touchbase
	• Immediately gather the Safety Team
	• Make quick discussion based on the information from the call and decide
	  ○ Whether the students should duck and cover
	  ○ How to evacuate students in the area where the bomb is claimed to be at
	  ○ Whether we should evacuate all students
	  ○ Other response plan impacted by the bomb threat information

Step 4 Announcement	• Safety Team staff will make announcements as soon as possible over Share911 - it will send an “Evacuate” Notificaiton
Step 5 Cover/Evacuate	• Tune into **Share911**. • Classroom teachers to take Emergency Backpack and Emergency Contact Roster • Based on the announcement, duck and cover or evacuate using same order and routes as fire/earthquake
Step 6 Take roll	• Once you arrive at the Emergency Meeting Area, classroom teachers take roll. • Teacher reports missing students to our Share911 and the tiles appear-when those students are accounted for the students will be marked accounted for by the adults present with those students • Stay in the meeting area for further instruction.
Step 7 Safety Team Search	• Before emergency crews are on campus, do not search for any bomb, or explosive. • Search only for people who should be evacuated.
Step 8 Further instructions & Return	• Do not resume school activities until the Safety Team announces *“All clear. All Clear. Please return to your normal activity.”* • If deemed necessary, the Safety Team will enact the Reunification Plan at the site of evacuation, or where a Law Enforcement Agency indicates.
Step 9 Safety Team Debrief	• After emergency is all clear, Safety Team huddles for debrief
Step 10 Communications	• The Executive Director will draft and send communications to all staff and families regarding the nature of the emergency and response.

BOMB THREAT BY IDENTIFICATION OF A SUSPICIOUS OBJECT	
This protocol is used when a suspicious object has been found.	
Step 1 Discover the object	• Notify Administrative Staff immediately ○ Miranda Thorman - miranda.thorman@eastbayia.org • Do not touch the object but note any identifying features to describe it to the Safety Team and Emergency crews (Fire Department or Police Department) • Keep students away from the vicinity of the suspicious object
Step 2 Call 911	• Administrative staff to call 911 immediately and inform the operator that there is a current bomb threat.

Step 3
Team Touchbase
	• Immediately gather the Safety Team
	• Make quick discussion based on the information
	  ○ Shelter in Place
	  ○ Evacuate
	  ○ Other response plan impacted by the bomb threat information

Step 4 Announcement	• Safety Team staff will make announcements as soon as possible over the **Share911**, with the signal ○ Shelter in Place OR Evacuate
Step 5 Cover/Evacuate	• Tune into **Share911** • Classroom teachers to take Emergency Backpack and Emergency Contact Roster • Based on the announcement, duck and cover or evacuate using same order and routes as fire/earthquake
Step 6 Take roll	• Once you arrive at the Emergency Meeting Area, classroom teachers take roll. • Teacher reports missing students to our **Share911** and the tiles appear-when those students are accounted for the students will be marked accounted for by the adults present with those students • Stay in the meeting area for further instruction.
Step 7 Safety team search	• Before emergency crews are on campus, do not search for any bomb, or explosive. • Search only for people who should be evacuated.
Step 8 Further instructions & Return	• Do not resume school activities until the Safety Team announces *"All clear. All Clear. Please return to your normal activity."* • If deemed necessary, the Safety Team will enact the Reunification Plan at the site of evacuation, or where a Law Enforcement Agency indicates.
Step 9 Safety Team Debrief	• After emergency is all clear, Safety Team huddles for debrief.
Step 10 Communications	• The Executive Director will draft and send communications to all staff and families regarding the nature of the emergency and response.

DEATH/SUICIDE

1. Office Manager will be notified in the event of a death or suicide on campus.
2. Assigned person(s) will phone 911.
3. Office Manager will notify teachers to keep students in their classrooms until informed otherwise.
4. Assigned person(s) will control and organize media.
5. Assigned person(s) will notify relatives where the victim(s) have been taken and not divulge unnecessary details.
6. Assigned person(s) will ensure that counseling services are available as soon as possible.

INTRUDERS / VICIOUS ANIMALS

1. Executive Director, Director of Operations or the office staff will check out the situation and take appropriate action (i.e., contact Police or animal control agency).
2. Administration should initiate a code to alert staff of a potential suspicious intruder.
3. Keep the students in the classroom until the threat is cleared.
4. Implement shelter in place if necessary; lock classroom doors and windows, move away from windows, draw curtains, remain silent.
5. Notify office of who is with you, if possible.
6. All students outside of the building are to be quietly and cautiously led into the building.
7. Wait for further instructions from administration and/or police/animal agency.

EMERGENCY STUDENT RELEASE PROCEDURES

1. EBIA will keep and care for all students in an emergency situation (such as loss of electrical power, wind/rain storms, earthquakes, etc.) until the end of the school day or longer if the emergency dictates.

2. Should conditions exist that make transportation impossible, students will be kept at school until the parent, guardian or an authorized adult comes to check the student out of school. In such conditions it is expected that parents/authorized adults will come as soon as possible to pick up their student(s).

3. If electrical power has not been disrupted, only high school parents/legal guardians may have their student(s) released, as per normal absence/release procedures.

4. In all situations, the Executive Director or Operations Team may make other decisions dependent on the type of emergency. During any community-wide emergency, please listen to the radio for pertinent information.

5. Those who arrive during an emergency to check a student out of school will go through the designated release procedures: typically the school will record the time, student's name, and the name of the adult to whom the student is being released and address or destination.

IF THE EMERGENCY SITUATION DOES NOT EXTEND BEYOND NORMAL SCHOOL HOURS, STUDENTS WILL BE RELEASED AS USUAL AT THE END OF THE SCHOOL DAY.

EMERGENCY EVACUATION PROCEDURES FOR SAFE INGRESS AND EGRESS

Beyond planning for daily ingress/egress routes and emergency evacuation routes, schools must plan for assisting students, staff and visitors with disabilities. Under the Americans with Disabilities Act of 1990, individuals who are deaf/hard of hearing, blind/partially sighted, mobility impaired and/or cognitively/emotionally impaired must be assisted.

A. Considerations for Planning for People with Disabilities:

1. Identify the population of people with disabilities
2. Students with disabilities are located in self-contained SDC and SH classrooms
3. There are certified teachers and paraprofessionals trained to assist students with disabilities
4. Determine proper signage and equipment
5. The facility has been reviewed and certified by the school district's department of buildings and grounds
6. The facility is reviewed for proper signage and equipment on a yearly basis

B. Assigned Staff Trainers for Assisting Individuals With Disabilities

Name	Title
Ernesto Diaz	Lower School Dean of Culture
Terrance Marley	Upper School Dean of Culture

On-Campus Evacuation/Assembly Location

[3400 Malcolm Ave (Marshall Campus)]

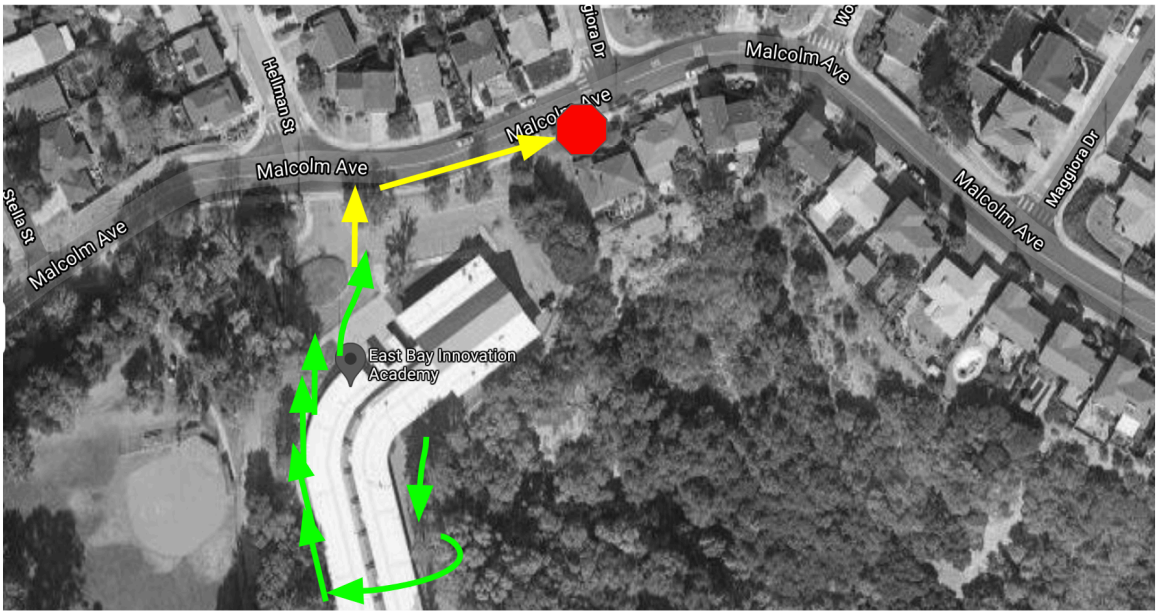
[3800 Mountain Blvd. (GGA Campus)]

Emergency Phone Numbers

Entity	Number
Emergency	911
Oakland Police Department	510-777-3211
Oakland Fire Department	510-444-1616
American Red Cross	510-595-4400
Oakland Office of Emergency Services	510-238-3938
Summit Medical Center Emergency Department	510-869-8700
Highland Hospital Emergency/Trauma Department	510-437-4559
Kaiser Oakland Hospital	510-752-1000
Pacific Gas And Electric	800-743-5000
Ebmud Water	510-835-3000
Alameda County, Poison Center	800-222-1222
Office of Environmental Health Hazard Assessment	916-323-2514
OUSD - Emergency Preparedness	510-879-3670 (office)
GGA	510-504-8210

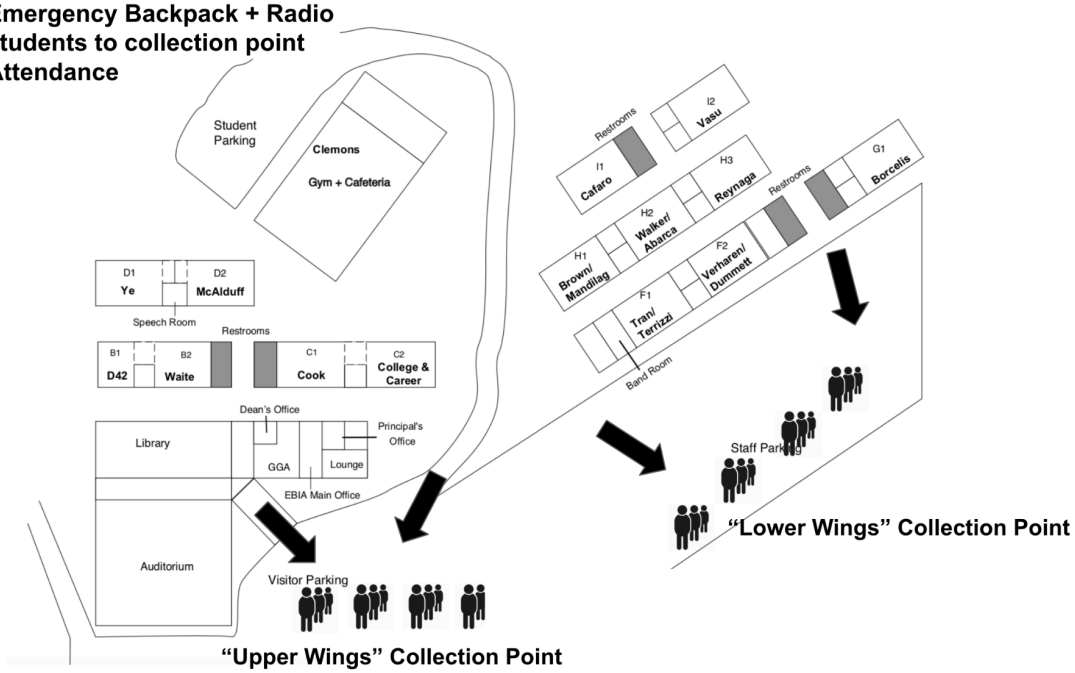
SITE MAPS & EVACUATION PLAN

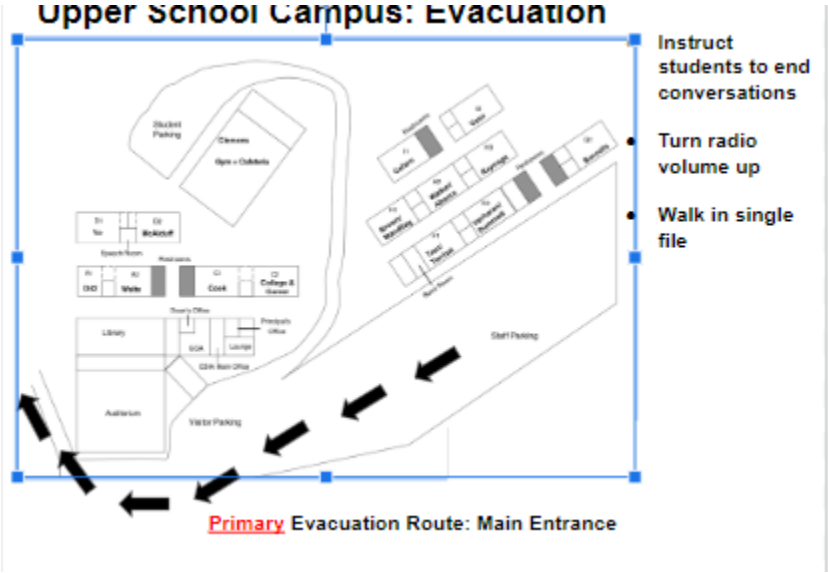
Lower School - 3400 Malcolm Avenue



Upper School - 3800 Mountain Blvd.

1. **Take Emergency Backpack + Radio**
2. **Take students to collection point**
3. **Take Attendance**

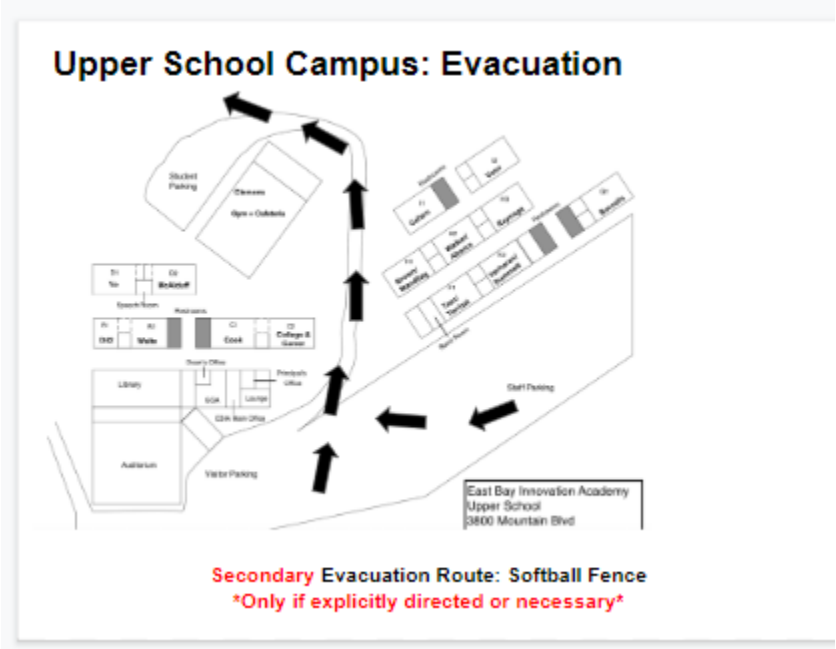




Off-Campus Student Pick-Up:

Redwood Heights Recreation Center

- *Right on 35th*
- *Left on Aliso*



STUDENT DISCIPLINE

The School believes that one of the major functions of education is the preparation of youth for responsible citizenship. The School shall foster a learning environment that reinforces self discipline and the acceptance of personal responsibility. In addition, the School shall work with students and families to provide a safe school environment that provides students with the opportunity to have a quality education.

The following policies and procedures are designed to guide school personnel in dealing with student discipline issues, while providing students and parents with a clear set of expectations regarding student behavior and an understanding of the consequences of misconduct.

As provided in the charter petitions, the policies and procedures for suspension and expulsion of students set forth in this document comply with the policies and procedures identified in the California Education Code. These policies and procedures will be periodically reviewed and the lists of offenses for which students are subject to suspension or expulsion will be modified as necessary.

These policies and procedures will be enforced fairly, uniformly, and consistently without regard to sex, ethnic group, religion, sexual orientation, color, race, national origin and physical or mental disability

DISCIPLINE IN GENERAL

Each school should develop a process for handling, and if necessary escalating, individual cases of student misbehavior. Strategies may include but are not limited to:

- Relocating the student's desk to a different part of the classroom;
- Assigning different or additional work appropriate to the infraction;
- Utilizing a peer mediation or student conflict resolution program;

- Individual conversation with the classroom teacher about behavior and consequences;
- Utilizing a written referral framework;
- Designating selected classrooms and teachers (typically, lead teachers or advisors) as places for “time out”;
- Referring students to the Dean of Culture or a designee;
- Contacting parents/guardians; and/or
- Requiring the student to attend before/after school detention or Saturday detention;

All employees will report unmanageable or unusual behavior of students to the Director of Student Support Services or designee as soon as possible. The Director of Student Support Services or designee shall investigate the report and exercise his or her discretion for purposes of notification of parents, legal guardians, law enforcement, or local child protection services.

PUPIL SUSPENSION AND EXPULSION POLICY

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq*. which lists the offenses and procedures for suspensions and expulsions. This Policy also addresses involuntary removals for violations of the Charter School's attendance policy. The language that follows closely mirrors the language of Education Code Section 48900 *et seq*. The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and involuntary removal policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Executive Director's office.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates

additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth, or a homeless child or youth, the student's educational rights holder, and shall inform the student, the student's parent or guardian, or educational rights holder of the basis for which the pupil is being involuntarily removed and the student, the student's parent or guardian, or educational rights holder's right to request a hearing to challenge the involuntary removal. If a student's parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions or expulsions pursuant to the suspension and expulsion procedures described below.

A. GROUNDS FOR SUSPENSION AND EXPULSION OF STUDENTS

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at any time, including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

B. ENUMERATED OFFENSES

1. Discretionary Suspension Offense. Students may be suspended for any of the following acts when it is determined the pupil:

    a) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. This section applies to pupils in any of grades 9 to 12, inclusive.

2. Discretionary Suspension and Expellable Offenses. Students may be suspended or suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

    b) Caused, attempted to cause, or threatened to cause physical injury to another person.

    c) Willfully used force or violence upon the person of another, except self-defense.

    d) Unlawfully possessed, used or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.

    e) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.

    f) Committed or attempted to commit robbery or extortion.

    g) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.

    h) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.

    i) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.

    j) Committed an obscene act or engaged in habitual profanity or vulgarity.

    k) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

    l) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.

    m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

    n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing

that student from being a witness and/or retaliating against that student for being a witness.

o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.

q) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars ($1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

t) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work,

creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.

ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.

iii. Causing a reasonable student to experience substantial interference with his or her academic performance.

iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) "Electronic Act" means the transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

A message, text, sound, video or image.

i. A post on a social network Internet Web site including, but not limited to:

(a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

(b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

ii. An act of cyber sexual bullying.

(a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).

w) Possessed, sold, or otherwise furnished any knife or other dangerous object

of no reasonable use to the pupil unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

3. Non-Discretionary Suspension and Expellable Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

a) Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

b) Brandishing a knife at another person.

c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, et seq.

d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n).

If it is determined by the Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or destructive device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

The term "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such a term does not include an antique firearm.

The term "destructive device" means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more

than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

C. SUSPENSION PROCEDURE

Suspensions shall be initiated according to the following procedures:

1. Conference Suspension shall be preceded, if possible, by a conference conducted by the Executive Director or the Executive Director's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Executive Director or designee.[2]

The conference may be omitted if the Executive Director or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(b)(5)(J)(i). This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense(s) committed by the student as well as the date the student may return to school following the suspension. In addition, the notice may also state the time when the student may return to school. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

[2] "Designee," as used in this suspension/expulsion policy includes the Site Administrator.

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of Expulsion by the Executive Director or Executive Director's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Executive Director or designee upon either of the following:

1) the pupil's presence will be disruptive to the education process; or

2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parent or guardian, unless the pupil and the pupil's parent or guardian fail to attend the conference.

4. Homework Assignments During Suspension

In accordance with Education Code Section 48913.5, upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the pupil, or the affected pupil, a teacher shall provide to a pupil in any of grades 1 to 12, inclusive, who has been suspended from school for two (2) or more schooldays, the homework that the pupil would otherwise have been assigned.

In accordance with Education Code Section 48913.5(b), if a homework assignment that is requested pursuant to Section 48913.5(a) and turned into the teacher by the pupil either upon the pupil's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the pupil's overall grade in the class.

D. AUTHORITY TO EXPEL

As required by Education Code Section 47605(b)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled either by the neutral and impartial Charter School Board following a hearing before it or by the Charter School Board upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board as needed. The Administrative Panel should consist of at least three (3) members who are

certificated and neither a teacher of the pupil nor a Board member of the Charter School's governing board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Charter School Board of Directors shall make the final determination.

E. EXPULSION PROCEDURES

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Executive Director or designee determines that the Pupil has committed an expellable offense and recommends the student for expulsion.

In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the Pupil makes a written request for a public hearing three (3) days prior to the date of the scheduled hearing.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the pupil. The notice shall include: The date and place of the expulsion hearing;

1. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
2. A copy of the Charter School's disciplinary rules which relate to the alleged violation;
3. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;
4. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
5. The right to inspect and obtain copies of all documents to be used at the hearing;
6. The opportunity to confront and question all witnesses who testify at the hearing;
7. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

F. SPECIAL PROCEDURES FOR EXPULSION HEARINGS INVOLVING SEXUAL ASSAULT OR BATTERY OFFENSES

The Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five (5) days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.

2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.

3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.

4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.

5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the body presiding over the hearing from removing a support person whom the presiding chairperson finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.

6. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness's presence is both desired by the witness and will be helpful to the Charter School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or

influencing the witness.

7. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.

8. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

9. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the body conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstances can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. RECORD OF HEARING

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

H. PRESENTATION OF EVIDENCE

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel determines that disclosure of

their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board who will make a final determination regarding the expulsion. The Board shall make the final determination regarding the expulsion within ten (10) school days following the conclusion of the hearing. The Decision of the Board is final.

If the Administrative Panel decides not to recommend expulsion, or the Board of Directors ultimately decides not to expel, the pupil shall immediately be returned to his/her previous educational program.

I. WRITTEN NOTICE TO EXPEL

The Executive Director or designee, following a decision of the Board to expel, shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student and student's parent/guardian. This notice shall also include the following: (a) Notice of the specific offense committed by the student; and (b) Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

The Executive Director or designee shall send a copy of the written notice of the decision to expel to the authorizer. This notice shall include the following: (a) The student's name; and (b) The specific expellable offense committed by the student.

J. DISCIPLINARY RECORDS

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the authorizer upon request.

K. NO RIGHT TO APPEAL

The pupil shall have no right of appeal from expulsion from the Charter School as the Charter School Board's decision to expel shall be final.

L. EXPELLED PUPILS/ALTERNATIVE EDUCATION

The parents or guardians of pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. The Charter School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

M. REHABILITATION PLANS

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

N. READMISSION OR ADMISSION OF PREVIOUSLY EXPELLED STUDENT

The decision to readmit a pupil after the end of the pupil's expulsion term or to admit a previously expelled pupil from another school district or charter school who has not been readmitted/admitted to another school or school district after the end of the pupil's expulsion term, shall be in the sole discretion of the Board following a meeting with the Executive Director or designee and the pupil and pupil's parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Executive Director or designee shall make a recommendation to the Board following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission or admission of the pupil during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission or admission to the Charter School.

O. NOTICE TO TEACHERS

The Charter School shall notify teachers of each pupil who has engaged in or is

reasonably suspected to have engaged in any of the acts listed in Education Code section 49079 and the corresponding enumerated offenses set forth above.

P. INVOLUNTARY REMOVAL FOR TRUANCY

As charter schools are schools of choice and as a charter school pupil who fails to attend school is potentially depriving another student of their opportunity to enroll, a student may be involuntarily removed as described within the Charter School's Board adopted Attendance Policy for truancy and only after the Charter School follows the requirements of the Attendance Policy and only in accordance with the policy described above which requires notice and an opportunity for a parent, guardian, educational rights holder to request a hearing prior to any involuntary removal.

Q. SPECIAL PROCEDURES FOR THE CONSIDERATION OF SUSPENSION AND EXPULSION OF STUDENTS WITH DISABILITIES

1. Notification of SELPA

The Charter School shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student who the Charter School or SELPA would be deemed to have knowledge that the student had a disability.

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting (which could constitute a change of placement and the student's IEP would reflect this change), and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment or functional analysis, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or

b. If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If the Charter School, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

a. Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;

b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and

c. Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a direct result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student shall remain in the interim alternative educational setting pending the

decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and the Charter School agree otherwise.

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent/guardian or Charter School may request a hearing.

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

5. Special Circumstances

Charter School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

The Executive Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

a. Carries or possesses a weapon, as defined in 18 U.S.C. Section 930, to or at school, on school premises, or to or at a school function;

b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or

c. Has inflicted serious bodily injury, as defined by 20 U.S.C. Section 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP/504 Team.

7. Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified as an individual with disabilities pursuant to IDEIA and who has violated the Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred.

The Charter School shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.

b. The parent has requested an evaluation of the child.

c. The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

If the Charter School knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEIA-eligible children with disabilities, including the right to stay-put.

If the Charter School had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. The Charter School shall conduct an expedited evaluation if requested by the parents; however

the student shall remain in the education placement determined by the Charter School pending the results of the evaluation.

The Charter School shall not be deemed to have knowledge that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

Procedures to Notify Teachers of Dangerous Pupils

East Bay Innovation Academy is committed to providing a safe, orderly working environment for all employees. In alignment with this commitment and in alignment with the California Education Code, EBIA has established the following procedures related to notifying teachers of dangerous pupils.

A school district shall inform the teacher of each pupil who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h), of Section 48900 or in Section 48900.2, 48900.3, 48900.4, or 48900.7 that the pupil engaged in, or is reasonably suspected to have engaged in, those acts.

The district shall provide the information to the teacher based upon any records that the district maintains in its ordinary course of business, or receives from a law enforcement agency, regarding a pupil described in this section.

A school district, or school district officer or employee, is not civilly or criminally liable for providing information under this section unless it is proven that the information was false and that the district or district officer or employee knew or should have known that the information was false, or the information was provided with a reckless disregard for its truth or falsity. ED Code 32280-89 15

Procedures to notify teachers of dangerous pupils pursuant to Section 49079.

An officer or employee of a school district who knowingly fails to provide information about a pupil who has engaged in, or who is reasonably suspected to have engaged in, the acts referred to in subdivision (a) is guilty of a misdemeanor, which is punishable by confinement in the county jail for a period not to exceed six months, or by a fine not to exceed one thousand dollars ($1,000), or both.

The information provided shall be from the previous three school years. Any information received by a teacher pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Amended by Stats. 2000, Ch. 345, Sec. 2. Effective January 1, 2001.)

1. The school shall ensure that employees are informed, in accordance with law, regarding crimes and offenses by students who may pose a danger in the classroom.
2. The Executive Director is to be made immediately aware of all incidents related to the endangerment of the school site and/or staff.

3. When violence is directed against an employee by any individual and the employee notifies the school, the Site Administrator or Executive Director shall take steps to ensure that appropriate legal and safety measures are instituted.

4. When the employee notifies the Site Administrator or Executive Director of a threat of bodily harm, the school shall take appropriate measures to enable the employee to request assistance if a threat occurs on school grounds.

5. East Bay Innovation Academy requires school employees to take immediate action upon being made aware that any person is in possession of an injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall do one of the following:
    a. Confiscate the object and deliver it to the Site Administrator or Executive Director immediately
    b. Immediately notify the Site Administrator or Executive Director, who shall take appropriate action
    c. If the school employee determines the situation, person in question, or injurious object poses **imminent and extreme danger** (e.g. an individual with a brandished firearm, knife, etc.) the employee may directly notify the local law enforcement agency and the Site Administrator and Executive Director

6. When informing the Site Administrator or Executive Director about the possession or seizure of a weapon or dangerous device, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

7. The Executive Director is to be consulted and made aware of any situation involving law enforcement. There should never be a situation where the Police or emergency personnel are on campus and the Executive Director is not aware.
    a. Whenever possible, the Executive Director should be consulted prior to contacting law enforcement
    b. If a school employee is unable to consult the Executive Director prior to contacting law enforcement, the Executive Director must be contacted directly after making contact with law enforcement personnel

ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

East Bay Innovation Academy ("EBIA") is committed to providing a work and educational atmosphere that is free of unlawful harassment. EBIA's policy

prohibits sexual harassment and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, creed, color, gender, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. EBIA will not condone or tolerate harassment of any type by any employee, independent contractor or other person with which EBIA does business with. This policy applies to all employee actions and relationships, regardless of position or gender. EBIA will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

PROHIBITED UNLAWFUL HARASSMENT

- Verbal conduct such as epithets, derogatory jokes or comments or slurs;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Retaliation for reporting or threatening to report harassment
- Deferential or preferential treatment based on any of the protected classes above.

PROHIBITED UNLAWFUL SEXUAL HARASSMENT

In accordance with existing policy, discrimination on the basis of gender in education institutions is prohibited. All persons, regardless of the gender, are afforded equal rights and opportunities and freedom from unlawful discrimination in education programs or activities conducted by EBIA.

EBIA is committed to provide a workplace free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action, up to, and including dismissal, of the offending employee.

Sexual harassment consist of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when: (1) submission of the conduct is either made explicitly or implicitly a term or condition of an individual's employment; (2) an employment decision is based upon an individual's acceptance or rejection of that conduct; (3) that conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

It is also unlawful to retaliate in any way against an employee who has articulated a good faith concern about sexual harassment against him or her against another individual.

All Supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a Supervisory position and will receive further training once every two (2) years thereafter. All staff will receive sexual harassment training and/or instruction concerning sexual harassment in the workplace as required by law.

Each employee has the responsibility to maintain a workplace free from any form of sexual harassment. Consequently, should any individual, in particular those with Supervisory responsibilities, become aware of any conduct that may constitute sexual harassment or other prohibited behavior, immediate action should be taken to address such conduct. Employees and students are expected to act in a positive and professional manner and to contribute to a productive School environment that is free from harassing or disruptive activity. Any employee who believes they have been harassed or has witnessed harassment is encouraged to immediately report such harassment to their Supervisor or the Executive Director or the COO & CFO. See Attachment B for the "Harassment Complaint Form."

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
    - Rape, sexual battery, molestation or attempts to commit these assaults and

- Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body.

- Unwanted sexual advances, propositions or other sexual comments, such as:
  - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience.
  - Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct.
  - Subjecting or threats of subjecting an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of the employee's sex.

- Sexual or discriminatory displays or publications anywhere at the workplace by employees, such as:
  - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing to work or possessing any such material to read, display or view at work.
  - Reading publicly or otherwise publicizing in the work environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic; and
  - Displaying signs or other materials purporting to segregate an employee by sex in an area of the workplace (other than restrooms or similar rooms).

The illustrations of harassment and sexual harassment above are not to be construed as an allinclusive list of prohibited acts under this policy.

Complainants and witnesses under these policies will be protected from further harassment and will not be retaliated against in any aspect of their employment due to their participation, filing of a complaint or reporting sexual harassment.

EBIA will investigate complaints promptly and provide a written report of the investigation and decision as soon as practicable. The investigation will be handled in as confidential a manner as possible consistent with a full, fair, and proper investigation.

Employees may also direct their complaints to the California Department of Fair Employment and Housing ("DFEH"), which has authority to conduct investigation of the facts. The deadline for filing complaints with the DFEH is one year from the date of the alleged unlawful conduct. If the DFEH believes a complaint is valid and settlement efforts fail, the DFEH may seek an administrative hearing before the California Fair Employment and Housing Commission ("FEHC") or file a lawsuit in court. Both the FEHC and the courts have authority to award monetary and non-monetary relief in meritorious cases. Employees can contact the nearest DFEH office or the FEHC by checking the State Government listings in the local telephone directory.

While in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or Supervisory responsibilities.

PREVENTION OF CHILD ABUSE POLICY

The School is committed to maintaining safe and secure campuses for students, and for following its legal responsibilities in reporting suspected child abuse/neglect to the proper authorities.

REPORTING SUSPECTED CHILD ABUSE/ NEGLECT

While the responsibility of enforcing legal prohibitions against child abuse and neglect lies with the protective agencies such as the local police department and Children's Protective Services, the School's child care

custodians (including teachers, administrative officers, certificated personnel, etc.) are mandated reporters of known or suspected child abuse/neglect and are required to fulfill this legal responsibility. Every child care custodian of the School must sign a "Child Abuse Reporting" form indicating they understand their responsibilities to report known or suspected child abuse/neglect.

See complete Prevention of Child Abuse Policy and Procedure for specific steps regarding the reporting of suspected abuse and neglect.

REPORTING PROBLEMS AT THE SCHOOL SITE

The School maintains zero tolerance for abuse. Every member of the School community must participate actively in the protection of its students.

The School will monitor the school buildings and grounds:

- All unused rooms, storage areas, and closet doors should be kept locked at all times;
- all unused buildings and areas must be designated, posted and enforced as off-limits to children;
- all students are required to remain in areas that are easily viewed by employees;
- Interior doors should be left open and unlocked when rooms are in use
- Blinds should be left open to allow informal monitoring by a passerby.

In the event that any current or future school employee observes any suspicious or inappropriate behaviors on the part of any third party or other employee while on the school premises or during a school-sponsored activity, he or she is required to immediately report their observations to the Office Manager or designee. Examples of suspicious or inappropriate behaviors include, but are not limited to:

- policy violations,
- neglectful supervision,
- "private time" with students,

- taking students off premises without adhering to procedures,
- buying unusual gifts for children and youth,
- swearing or making suggestive comments to students,
- or any other conduct as identified in this policy, or which is inappropriate or illegal in the eyes of the observer.

All reports of suspicious or inappropriate behavior with students will be taken seriously. The Executive Director or designee will conduct an immediate investigation concerning the alleged act or omission. If at any point in gathering information about the allegedly suspicious, inappropriate or illegal behavior, a concern arises that there is a possibility of abuse of any kind, appropriate law enforcement and/or local child protection services will be contacted immediately and a report will be filed. If at any point any policy violations with students are confirmed, employees will be subject to disciplinary action, including but not limited to, administrative leave, termination and/or criminal prosecution.

The School will cooperate with any and all law enforcement and/or governmental entities in the implementation and enforcement of this policy.

A SAFE AND ORDERLY ENVIRONMENT

CLIMATE FOR LEARNING AND GROWTH at EBIA

East Bay Innovation Academy will make every effort to ensure that each student's school experience is rich and significant, and that the environment is orderly, warm, and conducive to learning. EBIA fosters a commonality of purpose and a sense of cohesiveness among parents, school staff, and the community-at-large.

OUR MISSION

East Bay Innovation Academy's ("EBIA," the "School," or "the Charter School") mission is to prepare a diverse group of students to be successful in college and to be thoughtful, engaged citizens who are leaders and innovators in a 21st century global world.

OUR VISION

EBIA is rethinking how schools are run and structured, so that they better reflect the needs of a 21st century world. Most schools have not changed their structure, organization, facilities or instruction in over fifty (50) years. While schools have not changed, our world has, leaving many of our schools, even the "best" ones, behind. EBIA is a powerful option for Oakland families and educators to build a diverse school that addresses the needs of the 21st century and beyond.

OUR INSTRUCTIONAL MODEL

EBIA is a rigorous STEAM ("Science, Technology, Engineering, Art and Math") school with a unique focus on the social and emotional skills students need to be leaders. Students will learn to be problem solvers and strong advocates who work together and take responsibility for their own learning.

Students will work together on long-term, **"real-world"** projects that combine many different subjects, and will learn to present those projects using technology.

Students will alternate between different learning models, including online learning, and in later grades will be **self-guided**.

OUR CORE BELIEFS

We believe in **Possibility and Perseverance**

All students will achieve at the highest levels and prepare for success in college and career. We value courage, action and hard work.

We believe in **Creativity and Curiosity**

Students will work together with critical and creative minds. We value exploration, perspective and determination.

We believe in **Community**

Parents, teachers, school leaders, and board members will take responsibility for all students' success. We value relationships, kindness, integrity and respect.

We believe in the **Greater Good**

EBIA will teach students about social justice and civic responsibility. We value giving back to the community and improving our school, our community and our world.

We believe in **Diversity**

Students will prepare for society and the workforce by working with and appreciating those who are different from themselves.

OUR INNOVATOR NORMS

The character traits we expect all our students to exhibit are known as **Innovator Norms**. Our six Innovator Norms will be woven throughout our culture, classrooms and community.

Perseverance: Maintaining a steady persistence in a course of action, and exhibiting a commitment to purpose and tenacity, in spite of difficulties, obstacles, or discouragement.

Curiosity: Eagerly desiring to know and learn; taking initiative and being inventive.

Kindness: Being considerate or helpful.

Respect: Honoring or being considerate towards self, property, and others.

Conscientiousness: Being careful, meticulous; being thorough, careful, or vigilant; desiring to do a task well and to completion; being accountable, prioritizing to set and meet goals, and achieving results.

Leadership: The quality of an individual's membership in, and contribution to, a community.

RESTORATIVE JUSTICE

Restorative justice promotes values and principles that use inclusive, collaborative approaches for being in community. These approaches validate the experiences and needs of everyone within the community, particularly those who have been marginalized, oppressed, or harmed. These approaches allow us to act and respond in ways that are healing rather than alienating or coercive.

-excerpt from Amstutz and Mullet, Restorative Discipline for Schools

Instructional time is "sacred" and successful learning experiences depend upon the engaged participation of every student. The community is composed of individuals who exercise self-discipline while understanding the need for inter-dependency.

Below is an **example** of teacher response to students making poor choices in class which are adversely affecting the learning environment:

1. If misbehavior occurs, the teacher will address the responsible individual(s) respectfully, reminding the student of the appropriate desired behaviors, and logging the behavior as appropriate.
2. If misbehavior persists, the teacher will ask the student(s) to step outside the classroom or individually approach the student for a 1-2-minute conference. That conference will provide the student(s) the opportunity to discuss the behavior and ways in which they can demonstrate to the class that they are ready to learn and re-join the community.
    - If the teacher feels the student(s) is/are ready to return to class, the

student(s) re-joins the community and demonstrates active scholarly participation.
- If the student returns to class and continues misbehavior, that student will be asked to write a reflection and may be referred to speak to an administrator.
- If the teacher feels the student(s) is/are not ready to return, the student(s) will be asked to write a reflection about the undesired behavior either in that teacher's class or a neighboring class.

3. If the student(s) return(s) to class after having written a reflection and continues with unproductive behavior, the student(s) will be referred to the office and will engage in the administrative behavior support plan.
4. If the behavior in class is extreme in nature and cannot be dealt with following the aforementioned steps, the student will be referred to the office and will engage in the administrative behavior support plan and/or the School will follow its Suspension Expulsion Policy as outlined within its Charter.

Understanding most behaviors will be addressed by the classroom teacher, as a means of re-engaging students in the learning environment, students referred to the office will already have been given multiple opportunities for correcting misbehavior. We treat every student as an individual and will adjust our approach on a case-by-case basis. We apply restorative justice principles to supporting positive student choices so that unwanted behaviors do not continue, but we can also offer a more traditional model for students and families who prefer not to participate in the restorative approach.

PROCEDURES FOR TACTICAL RESPONSE AND CRIMINAL INCIDENTS

East Bay Innovation Academy is committed to providing a school environment that promotes the safety of students, employees, and visitors to school grounds. In alignment with this commitment and the California Education Code, East Bay Innovation Academy has established the following tactical response procedures.

1. The perimeter of the school campus will be monitored at all times.
    a. During drop-off and pick-up times, additional gates will be unlocked and opened. School personnel will monitor the gates and yard areas to ensure entry is limited to school community members.
    b. During the after school program, school personnel will monitor the gates and yard areas to ensure entry is limited to school community members.

c. End of day security protocols will be developed. All staff will receive annual training related to these procedures.

2. East Bay Innovation Academy will control and maintain access to keys and security codes for all school personnel and other authorized individuals. School personnel and other authorized individuals who are issued keys and/or alarm codes will receive training related to procedures for securing the school site.

3. East Bay Innovation Academy requires school employees to take immediate action upon being made aware that any person is in possession of an injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall do one of the following:
   a. Confiscate the object and deliver it to the Site Administrator or Executive Director immediately
   b. Immediately notify the Site Administrator or Executive Director, who shall take appropriate action
   c. If the school employee determines the situation, person in question, or injurious object poses **imminent and extreme danger** (e.g. an individual with a brandished firearm, knife, etc.) the employee may directly notify the local law enforcement agency and the Site Administrator and Executive Director

4. When informing the Executive Director or Site Administrator about the possession or seizure of a weapon or dangerous device, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

5. East Bay Innovation Academy has developed and will provide annual training and regularly scheduled drills related to the following disaster procedures that will be used as part of the schools' tactical response procedures:

EMPLOYEE CONDUCT WITH STUDENTS

All school employees are responsible for conducting themselves in ways that preserves the safety of students and that prevents either the reality of or perception of inappropriate interaction with students.

In general, all School employees will treat all children with respect and consideration equally, regardless of sex, race, religion, culture or socio-economic status. Employees will portray a positive role model for youth by maintaining an attitude of respect, patience and maturity.

ALCOHOL, TOBACCO, AND CONTROLLED SUBSTANCES

All school employees are prohibited from the use, possession, or distribution of alcohol, tobacco products, or any illegal controlled substances while in the presence of students or at any time on school grounds. They are also prohibited from being under the influence of alcohol or any illegal controlled substances while in the presence of students or at any time on school grounds.

TRANSPORTATION OF STUDENTS

School employees may occasionally be in a position to provide transportation for students. The following guidelines should be observed in such circumstances:

a) With the exception of emergency situations related to medical necessity, employees should avoid transporting students without the written permission of his or her parent or guardian;

b) If written permission is not possible, the employee should make a written record of any verbal permission granted by the parent or guardian;

c) Students should be transported directly to their destination and no unauthorized or unnecessary stops should be made;

d) Employees will avoid unnecessary and/or inappropriate physical contact with students while in vehicles;

e) The employee should make a written record of the trip, including departure and arrival times and locations and students involved; and

f) Whenever possible, two school employees should collectively engage in the transportation activity.

EMERGENCY TELEPHONE NUMBER DIRECTORY

Entity	Number
Emergency	911
Oakland Police Department	510-777-3211
Oakland Fire Department	510-444-1616
American Red Cross	510-595-4400
Oakland Office of Emergency Services	510-238-3938
Summit Medical Center Emergency Department	510-869-8700
Highland Hospital Emergency/Trauma Department	510-437-4559
Kaiser Oakland Hospital	510-752-1000
Pacific Gas And Electric	800-743-5000
Ebmud Water	510-835-3000
Alameda County, Poison Center	800-222-1222
Office of Environmental Health Hazard Assessment	916-323-2514
OUSD - Emergency Preparedness	510-879-3670 (office)
GGA	510-504-8210

APPENDIX

EVACUATION PROCEDURES

EMERGENCY EVACUATION: ADMINISTRATION'S CHECKLIST

- Determine appropriate evacuation areas that have been pre-designated.
- Activate alarm/PA system or send message runner.
- Telephone emergency service personnel:

  911 or fire (444-1616)
  Utilities

ACTIVATE KEY PERSONNEL TO :

- Attend to the injured.
- Assure complete evacuation and student/staff are accounted for.
- Ensure special needs students are evacuated accordingly.
- Secure school for specific emergency.
- Clear road/fire lanes for emergency vehicles (pre-assigned).
- Assure that injured students/staff are reported to medical services for care and transportation to hospital/emergency medical center.
- Be contact person for emergency services, District, utility and/or news media personnel and provide needed aid (pre-assigned).
- Direct employees to aid those from the emergency services, District, utilities and other authorities. Avoid entering damaged areas unless specifically asked.
- Assure the facility is thoroughly inspected by the custodian, fire officials and District Operation personnel before re-entry is allowed.

- Seek Board of Directors' approval for school closure if damage cannot be immediately restored or repaired.
- If possible, have students/staff re-enter parts of the school that are declared safe.
- Make sure all students/staff are accounted for once outside.

EMERGENCY EVACUATION: EMPLOYEES CHECKLIST

- Upon emergency alert, secure work area as advised and depart/report to assigned area.
- Perform duties as pre-assigned by the Executive Director and designated site leaders - Francesca Fay at 3800 Mountain Blvd. and Mick Terrizzi at 3400 Malcolm Ave. in cooperation with emergency services personnel.
- DO NOT re-enter the building without permission or request of emergency service authorities.
- Remain in the general assembly areas and calm students if not assigned another duty.
- If dismissed, inform Executive Director and designated site leaders - Francesca Fay at 3800 Mountain Blvd. and Mick Terrizzi at 3400 Malcolm Ave.
- When signaled to re-enter safe areas of the school, quickly do so.
- Upon safe re-entry, report anything amiss to the Executive Director and designated site leaders - Francesca Fay at 3800 Mountain Blvd. and Mick Terrizzi at 3400 Malcolm Ave.

EMERGENCY EVACUATION: TEACHERS CHECKLIST

- Upon alert, assemble students for evacuation using designated routes and account for all students.
- Secure room as advised.
- Upon arrival at the assembly area, account for all students.
- Secure medical treatment for injured students.
- Report any students missing or left behind because of serious injuries.
- Stay with and calm students.

- If closure is ordered with no re-entry, when advised, release walkers and car/passengers (unless drivers are needed to evacuate students from the site) accounting for those who have left. Stay with bus riders until buses arrive.
- If signaled to re-enter school, assure students do so quickly and calmly. Account for all students.
- Check room and report anything amiss to the Executive Director and designated site leaders - Francesca Fay at 3800 Mountain Blvd. and Mick Terrizzi at 3400 Malcolm Ave..
- Debrief students to calm fears about the evacuation.

IF IT IS NECESSARY TO EVACUATE TO ANOTHER SCHOOL OR RELIEF CENTER, THE EXECUTIVE DIRECTOR WILL:

- Cooperate with emergency authorities in enlisting students/staff with cars to help transport evacuees.
- Direct the evacuation, assure all students/staff are accounted for as they depart and arrive.

CAMPUS MAPS AND EVACUATION ROUTES

The Evacuation Routes are outlined in each link.

3400 Malcolm Ave (Marshall Campus)

3800 Mountain Blvd. (GGA Campus)

PROTOCOL FOR MEDICATION AND OPIOID RESPONSE

Click here to Review our EBIA Administration of Medications Policy - inclusive of emergency response to Opioid overdose

STOPit SOLUTIONS - SCHOOLWIDE ANONYMOUS INCIDENT REPORTING AND RESPONSE SYSTEM

The Charter School provides students, staff, families and community members a resource to report any incidents affecting students or the community through STOPit Solutions.

Reports can be made by visiting Website:

https://appweb.stopitsolutions.com/directory

or calling

Phone: Call the 24/7 Incident Response Center to submit a report at 818.699.0504

Students and families can use STOPit to:

- make anonymous reports through the STOPit mobile app, website, or via phone with the 24/7 Incident Response Center
- submit photo or video evidence (App/Web Only)
- alert school administrators to issues early, before they escalate
- connect immediately via text with certified mental health counselors through the Crisis Text Line located in the app

Students and family members have the power to help put an end to harmful and inappropriate behavior they see online through social media and other means. Students can use STOPit to reach out for help if they or a peer are facing a personal crisis or experiencing bullying, abuse, or are in need of mental health support.

STOPit can be used to report:

- bullying
- cyberbullying
- discrimination
- harassment
- violence
- threats
- weapons
- alcohol or drug-related issues
- mental health struggles like suicidal ideations

The Charter School Receives notifications when a report has been made and is able to respond accordingly using the school's designated response team and protocol.

MENTAL HEALTH SERVICES

The Charter School recognizes that when unidentified and unaddressed, mental health challenges can lead to poor academic performance, increased likelihood of suspension and expulsion, chronic absenteeism, student attrition, homelessness, incarceration, and/or violence. Access to mental health services at the Charter School and in our community is not only critical to improving the physical and emotional safety of students, but it also helps address barriers to learning and provides support so that all students can learn problem-solving skills and achieve in school and, ultimately, in life. The following resources available to your child:

Available on Campus:

- School-based counseling services – your child is encouraged to directly contact a Charter School counselor by coming into the counseling office during school hours and making an appointment to speak with a counselor. Our Charter School counselors support students by providing individual sessions, group or parent consultations whenever a student is having a difficult time due to academic stress, transition to changes in their environment, or social concerns, including isolation. Counseling services, whether provided by our Charter School or by an outside provider listed in this letter, are voluntary.

- Special education services – if you believe your child may have a disability, you are encouraged to contact Sam Offenberg at 510-577-9557 to request an evaluation.

- Prescription medication while on campus – if your child requires prescription medication during school hours and you would like assistance from School staff in providing this mediation to your child, please contact the appropriate Office Lead at 510-577-9557.

Available in the Community:

- Alameda County Behavioral Health
  Care Services 2000 Embarcadero #400,
  Oakland, CA 94606

(510) 567-8100

Available Nationally:

- National Suicide Prevention Hotline - This organization provides confidential support for adults and youth in distress, including prevention and crisis resources. Available 24 hours at 1-800-273- 8255.
- The Trevor Project - This organization provides suicide prevention and crisis intervention for LGBTQ youth between the ages of 13 and 24. **Available at 1-866-488-7386 or visit** https://www.thetrevorproject.org/**.**
- Big Brothers/Big Sisters of America – This organization is a community- based mentorship program. Community-specific program information can be found online at https://www.bbbs.org or by calling (813) 720-8778.